

**In the Matter of  
REQUEST FOR REVIEW and/or  
WAIVER OF DECISION OF UNIVERSAL SERVICE ADMINISTRATOR**

**CHENEY PUBLIC SCHOOL DISTRICT 360  
Cheney, Washington**

**CC Docket No. 02-6**

Re:    Applicant Name:                    CHENEY PUBLIC SCHOOL DISTRICT 360  
      Billed Entity No:                    145439  
      Form 471 App. No.:                  1025869  
      Funding Request No.:                2785994  
      Funding Year:                        2015-2016  
      Decision Letter Date:                September 4, 2014  
      Decision on Appeal Date:            January 6, 2016

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**AFFIDAVIT OF SHIRLEY L. BAUER**

I, Shirley L. Bauer, being first duly sworn upon oath, depose and state as follows:

1.     I am a Member/Owner of E-Rate and Educational Services, LLC, a South Dakota Corporation that provides E-rate support to public school districts. I am a registered USAC consultant authorized to file E-rate applications and other Program documents on behalf of school districts clients. My consultant number is 16062408.

2.     I am contracted by Educational Service District 101 ("ESD 101") to provide ongoing E-rate support and services to districts within ESD 101's service area. This includes filing the Form 471 and corresponding FRNs, as well as processing invoices for reimbursement. The Cheney School District ("Cheney") contracts with ESD 101 to provide E-rate functions as they lack the in-house expertise for doing so.

3. I submitted Cheney's Form 471 within the filing window, Form 471 Application No. 1025869. Sixteen FRNs were included, including FRN 2785994 for eligible telephone services. In completing the Form 471, I made a typographical error on FRN 2785994 so that this FRN only reflected one month of eligible service rather than 12 months.

4. I discovered the error upon review of the 471 Receipt Acknowledgement Letter. The error is a correctable error under USAC rules. Accordingly, I filed an allowable correction utilizing USAC's RAL process. The allowable correction revised the start date to July 1, 2015, correcting my earlier error. The correction was received by USAC on March 30, 2015, and a case number assigned, 22741485.

5. On September 4, 2015, USAC issued Cheney's Funding Commitment Determination Letter. The FCDL did not reflect the revised start date for FRN 2785994 that was on file via the RAL process; rather, the FCDL provided eligible funding for Cheney's telephone service for only one month as reflected in the original Form 471. The FCDL did, though, include an RAL correction that had been made to a second FRN, FRN 2785384.

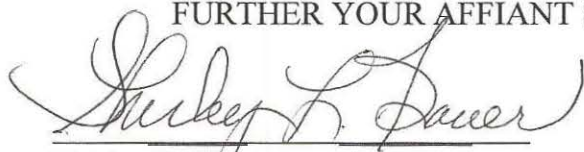
6. As part of my duties for Cheney, I process invoices for submission to USAC for eligible reimbursements. It was through this process that I discovered on December 5, 2015, that USAC had failed to process the RAL correction on file for FRN 2785994, prior to issuing the FCDL. Throughout the fall of 2015, I was not receiving invoices from Cheney for processing, despite emails to Cheney requesting the information. It was subsequently determined that a new employee at Cheney School District, Ms. Gillard, had erroneously been submitting the invoices to an incorrect email address. My email address is [sbauer@esd101.net](mailto:sbauer@esd101.net). Ms. Gillard had been emailing Cheney's documents to

shirleybower@esd101.net. As seen from the attached, Ms. Gillard, although using the incorrect address, was acting in good faith and making regular submissions to my office so that Program compliance could be maintained and eligible discounts reimbursed.

7. USAC's failure to process the RAL correction on file for FRN 2785994 resulted in a funding commitment of \$787.66 rather than the full amount for which Cheney was eligible, \$9451.92. I filed an appeal with USAC on December 7, 2015, as soon as possible after my discovery of this error on December 5, 2015.

8. As an E-rate consultant with over 18 years of experience providing Program services and support for public school districts, I can attest that Cheney School District was otherwise eligible for 12 months of telephone service discounts and met all Program requirements for these discounts. The loss of 92% of its eligible discounts for telephone service will result in a financial and administrative hardship to the District.


FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
Shirley L. Bauer

3/3/2014  
Date

SUBSCRIBED AND SWORN TO before me this 3 day of March, 2016.



  
Notary Public in and for South Dakota  
My commission expires: 10-30-2018





Shirley Bauer &lt;shirley.bauer.edd@gmail.com&gt;

**FW:**

1 message

**Tanya Gillard** <tgillard@cheneysd.org>  
To: Shirley Bauer <sbauer@esd101.net>

Tue, Nov 24, 2015 at 9:38 AM

-----Original Message-----

From: Tanya Gillard  
Sent: Thursday, November 05, 2015 10:36 AM  
To: Shirley Bower (shirleybower@esd101.net)  
Subject: FW:

-----Original Message-----

From: Technology HP CM4730 [mailto:TechnologyHPCM4730@cheneysd.org]  
Sent: Thursday, November 05, 2015 7:58 AM  
To: Tanya Gillard  
Subject:

Please open the attached document. This document was digitally sent to you using an HP Digital Sending device.

This message has been scanned for malware by Websense. [www.websense.com](http://www.websense.com)

 [Untitled].pdf  
2622K

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